

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of the current application as amended. Claims 1, 9, and 16 have been amended. Claim 10 has been canceled without prejudice. No new claims have been added.

35 U.S.C. § 102(a) Rejections

Examiner rejected claims 1 and 16 under 35 U.S.C. § 102(a) as being anticipated by Mattaway et al. (U.S. 6,226,678; hereinafter, "Mattaway").

Applicants respectfully traverse the rejections.

Specifically, claim 1 as amended sets forth:

using a library to dynamically match the first **type** of the first process and the second **type** of the second process, wherein the first type matches the second type if the first type and the second type have the **same names** and **same behavior version numbers**; (Applicants' Independent Claim 1 as amended, lines 6-9).

Mattaway, however, does not disclose or suggest at least the limitations above, as set forth by applicants. According to Mattaway, the WebPhone API utilizes TCP to transfer data of different types, i.e., file, image, graphics, etc. as well as to transfer streamline video and other multimedia data types, such as Java developed by Sun Microsystems, Mountain View, California. (Mattaway, col. 17, lines 4-8). However, Mattaway does not disclose process types are matched if they have the same names and same behavior version numbers. Therefore, Mattaway fails to anticipate claim 1 as amended for at least this

reason. Applicants respectfully request withdrawal of the rejection.

For at least the reason discussed above with respect to claim 1, Mattaway fails to anticipate claim 16 as amended. Applicants respectfully request withdrawal of the rejection.

Claims 2-15 and claims 17-25 depend, directly or indirectly, from claims 1 and 16, respectively. For at least the reason discussed above with respect to claims 1 and 16, claims 2-15 and claims 17-25 are not anticipated by Mattaway. Withdrawal of the rejection is respectfully requested.

In addition to, or as an alternative to, the above reason, Mattaway does not anticipate claim 9 as amended for the following reason. Claim 9 as amended sets forth that "the flow control backs up information at the flow origin by **providing a buffer at the flow origin** to prevent overflow of information to the recipient of the flow" (Applicants' dependent claim 9). In contrast, Mattaway fails to disclose, suggest, or imply such a limitation.

According to Mattaway, the second processing unit 22 merely extracts the session number from the E-mail signal and sends the session number with the second processing unit's IP address back to the first processing unit 12. Mattaway does not disclose **providing a buffer at the flow origin**. Therefore, Mattaway does not anticipate claim 9 as amended for at least this reason. Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 103(a) Rejections

Examiner maintained the rejections on claims 26-42 under 35 U.S.C. § 103(a) as being unpatentable over Mattaway in view of "Microsoft Computer Dictionary", Fifth Edition, published in 2000 (hereinafter, "the Dictionary"). Applicants respectfully traverse the rejections.

Specifically, claim 26 sets forth **asynchronously** connecting the first process and the second process. In the Office Action mailed May 10, 2004, the Examiner admitted that Mattaway does not disclose asynchronous connection. However, the Examiner argued in the final Office Action (mailed October 18, 2004) that the modification of Mattaway with asynchronous data transmission (as defined by the Dictionary) would be obvious as "the system has a potential flexibility to transmit the data asynchronous transmission does not need to depend on the receiver's state" (Final Office Action, p. 5, second paragraph). Applicants respectfully disagree with the Examiner.

It is respectfully submitted that the proposed modification would have rendered the WebPhone system unsatisfactory for its intended purpose. According to Mattaway, a series of multimedia data files is transmitted to WebPhone client processes *while the WebPhone application is activated* (Mattaway, col. 20, lines 43-46). Since the multimedia data files have to be transmitted to WebPhone client processes while the WebPhone application is activated, the *transmission of the data files depends on the state of the WebPhone application* (the receiver). Therefore, modifying the WebPhone system in Mattaway with asynchronous data transmission would have rendered

the WebPhone system unsatisfactory for its intended purpose. For at least this reason, claims 26-42 are not obvious over Mattaway in view of the Dictionary.

Furthermore, neither Mattaway nor the Dictionary provides sufficient motivation or any reasonable expectation of success to one of ordinary skill in the art to modify the disclosure in Mattaway with the definition of asynchronous connection in the Dictionary. The Examiner argued that asynchronous data transmission is well known in the art (Final Office Action, p. 5, first paragraph). Assuming *arguendo* that asynchronous data transmission is well known in the art, this is not sufficient by itself to establish prima facie obviousness of claim 26. According to the Board of Patent Appeal and Interference, a statement that modifications of the prior art to meet the claimed invention would have been well within the ordinary skill of the art at the time the claimed invention was made because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). Therefore, even if asynchronous data transmission was well known in the art, this alone is insufficient to render claim 26 obvious over Mattaway in view of the Dictionary. For at least these reasons, claim 26 is patentable over Mattaway in view of the Dictionary. Withdrawal of the rejection is respectfully requested.

For at least the reason discussed above with respect to claim 26, claim 32 is patentable over Mattaway in view of the Dictionary. Withdrawal of the rejection is respectfully requested.

Claims 27-31 and 33-42 depend, directly or indirectly, from claims 26 and 32, respectively. Therefore, claims 27-31 and 33-42 are patentable over Mattaway in view of the Dictionary for at least the reason discussed above with respect to claims 26 and 32. Withdrawal of the rejection is respectfully requested.

CONCLUSION

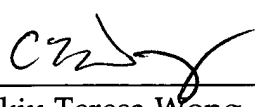
Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call C. Teresa Wong at (408) 720-8300, x377.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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